

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

BARBARA J. PARKS and JERMOME,
PARKS,

Plaintiffs,

CV 05-1046-AS

v.

ORDER

FEDERAL NATIONAL MORTGAGE
Corp., a.k.a. FANNIE MAE,

Defendant.

HAGGERTY, Chief Judge:

On October 3, 2005, Magistrate Judge Ashmanskas issued a Findings and Recommendation in this action (Doc. #15), in which the Magistrate Judge recommended that plaintiffs' Motion to Remand (Doc. #4) be denied, defendant's Motion to Dismiss (Doc. #6) be granted, and plaintiffs' Complaint be dismissed without prejudice. No objections were filed.

The matter is now before the court pursuant to 28 U.S.C. § 636(b)(1)(B) and Fed. R. Civ. P. 72(b). A district court "may accept, reject, or modify, in whole or in part, the findings or


recommendations" made by a magistrate judge. 28 U.S.C. § 636(b)(1). Within ten days of being served with a copy of the Findings and Recommendation, any party may file written objections and the court shall make a *de novo* determination of those portions of the Findings and Recommendation to which objections are made. *Id.* When no timely objection is filed, the court need only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation of the Magistrate. *Thomas v. Arn*, 474 U.S. 140, 149-150 (1985); *Campbell v. United States District Court*, 501 F.2d 196 (9th Cir. 1974). No clear error appears on the face of the record, and the court adopts Magistrate Judge Ashmanskas' Findings and Recommendation.

CONCLUSION

The Magistrate's Findings and Recommendation (Doc. #15) is adopted in its entirety. Plaintiffs' Motion to Remand (Doc. #4) is DENIED, defendant's Motion to Dismiss (Doc. #6) is GRANTED, Plaintiffs' Complaint is DISMISSED WITHOUT PREJUDICE and all other motions are DENIED as moot.

IT IS SO ORDERED.

Dated this 7 day of November, 2005.


ANCER L. HAGGERTY
United States District Judge